



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAR 20 1995

145167

VIA MAGNAFAX

REPLY TO THE ATTENTION OF:

CM-29A

Cerro Copper Products Company
c/o Richard F. Ricci
Lowenstein, Sandler, Kohl, Fisher & Boylan
65 Livingston Avenue
Roseland, NJ 07068-1791

Re: Access to Property Known as Sauget Area 1, Site G, Sauget,
Illinois

Dear Mr. Ricci:

Enclosed please find a second draft of a Consent Agreement for Access to the property known as Sauget Area 1, Site G, in Sauget, Illinois (see attached map). This draft Agreement addresses the concern regarding granting access to the site to Monsanto expressed on your letter dated March 13, 1995. I have also enclosed a copy of EPA's access policy which prohibits EPA from entering into indemnification agreements (see p. 7).

Because we would like to initiate removal activities as soon as possible we request that you please sign and date the form and return it to me as soon as is possible, but no later than within 2 days of the date of this letter. You may fax the completed form to me at the following address:

Thomas J. Martin
Office of Regional Counsel
U.S. Environmental Protection Agency
77 W. Jackson Blvd. (CM-29A)
Chicago, IL 60604
Fax: (312) 886-0747

If you have any questions, please call me at (312) 886-4273. I appreciate your immediate attention to this matter.

Sincerely,

Thomas J. Martin
Associate Regional Counsel

Enclosures

cc: Carol Graszer Ropski (HSE-5J)
Sam Borries (HSE3-5J)
Jeff Gore (HSRL-6J)



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CONSENT FOR ACCESS TO PROPERTY

Name of Owner: Cerro Copper Products Company
Sauget, Illinois 62201

Location Sauget Area 1, Site G
of Property: Sauget, Illinois

I consent to officers, employees, contractors, and authorized representatives of the United States Environmental Protection Agency ("U.S. EPA") entering and having continued access to this property for the following purposes:

- a. Develop a Health and Safety Plan to prevent exposure to workers and local residents from contaminated material;
- b. Develop and implement a sampling and analytical program designed to identify potentially contaminated material inside and outside of the Site G Landfill fenced area;
- c. Provide dust suppression measures for excavated contaminated material to insure contaminated dust does not migrate;
- d. Properly handle, consolidate, store, remove, and/or treat and dispose of contaminated liquids, soil, and sediment which has migrated off-site and/or still exists on Site G, including any contamination which may have migrated into the adjacent portion of Creek Segment B;
- e. Consolidate and/or remove non-hazardous waste and/or brush and debris;
- f. Properly close/abandon any monitoring wells that interfere with placement of a landfill cover;
- g. Provide appropriate backfill material as necessary to excavated areas and solidify/stabilize liquids, sludge and sediment as necessary to support overlying cover materials;
- h. Design and Engineer an appropriate protective cover for the Landfill contents and the consolidated materials placed in the fenced area of Site G complying with identified State and Federal ARARs; and
- i. Implement necessary erosion control measures to prevent cover erosion.

I realize that U.S. EPA's actions are undertaken pursuant to its response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980,

42 U.S.C. Section 9601 et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499, 100 Stat. 1613 (1986) ("CERCLA", as amended).

This written permission is given by me voluntarily, on behalf of myself and all other co-owners of this property, with knowledge of my right to refuse and without threats or promises of any kind.

Date

Signature
